

## REMARKS

Claims 1-36 were pending in the present application and rejected. Claims 1-5, 17-19, and 25 are amended. No new matter is added. The rejections are respectfully traversed in light of the following remarks, and reconsideration is requested.

### Rejections under 35 U.S.C. §102

Claims 1-6, 9-10, 17-21, 25, and 29-32 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,200,658 to Goeller et al. (hereinafter Goeller).

In rejecting claims 1, 17, and 25, the Examiner states, in part, that “Goeller et al. teaches . . . obtaining . . . data purportedly disclosing respective geographic locations of a plurality of users . . . (i.e. obtaining and storing at least via the ICANN or equivalent databases for the proposition that the ICANN database is a part of the network and holds geographic location data in the memory such as that shown in Figure 5 and description thereof, where the information may potentially including such information as addresses (postal) are taught at col. 2, line 53-col. 3, line 5).”

In particular, in the Abstract, col. 2, line 21 to col. 3, line 20, col. 4, lines 47-67, col. 5, lines 32-58, and Figs. 1-5, Goeller teaches the following: Client devices generate request data packets (trace-route commands), resulting in the IP address of each router or server (at each Internet hop) being transmitted back to the client device making the request. The client device collects the IP addresses resulting from the one or more trace-routes to the various routers or servers along the route. The client device then transmits the IP addresses to a service provider attempting to determine location, where the service provider uses this information to look up location information, among other information, from a database. This database contains location information for each IP address. Using the location information, the service provider makes a determination whether the client device is likely within or

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outside a given geographic area.

Of import is that the geographic location data is obtained from “databases such as the one maintained by any of the Internet Corporation for Assigned Names and Numbers (ICANN) accredited registrars. Such a database contains location information for each IP address in North America and certain other territories.” (Goeller, col. 2, lines 59-64). In other words, the geographic location data is already part of a trusted database, such as from ICANN.

In contrast, claim 1, as amended, recites “obtaining via a communications network and the communications interface, user-reported data purportedly disclosing respective geographic locations of a plurality of users of the communications network.” Support for the amendment is found in Applicant’s specification, at least, at Fig. 2 (element 100) and corresponding text. Thus, no new matter is added. As detailed in Applicant’s specification and recited in the claims, a key part of the invention is that the geographic location data is reported by users is then used to predict a location of a user with a specific IP address, where the prediction is based in part on the reliability of the user-reported location data. This user-reported location data can be when the user enters requested location information, such as general information about the user, shipping address of the user, billing address of the user, etc. In contrast, the location data of Goeller is from pre-established databases, not from self-reported user location data. In fact, Goeller relies on and assumes the location data from the ICANN databases being accurate to make its determination.

Therefore, because Goeller does not teach or suggest “obtaining via a communications network and the communications interface, user-reported data purportedly disclosing respective geographic locations of a plurality of users of the communications network,” as recited in claim 1, claim 1 is believed patentable over Goeller.

Independent claim 17, as amended, recites “obtaining and storing user-reported data

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purportedly disclosing respective geographic locations of a plurality of users of the communication network,” and independent claim 25, as amended, recites “obtaining and storing in the memory user-reported data purportedly disclosing the geographic location of a plurality of users of the network who visit the website.” Thus, for reasons similar to claim 1 discussed above, claims 17 and 25 are patentable over Goeller.

Claims 2-6, 9-10, 18-21, and 29-32 depend on claims 1, 17, and 25 and are therefore patentable over Goeller for at least the same reasons as claims 1, 17, and 25 discussed above.

In addition, claims 2 and 19 recite “determining, for each network address, a rating of the likelihood that the predicted geographic location accurately reflects the geographic location of users who access the network through that network address.” Applicant could not find any teaching in Goeller of such a limitation. This is because Goeller uses an assumed accurate location database from ICANN.

Therefore, for this additional reason, claims 2 and 19 are patentable over Goeller.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. §102.

#### Rejections under 35 U.S.C. §103

Claim 2-3, 11-12, 18-19, 22-23, 27-28, and 33-34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller in view of U.S. Patent No. 7,062,572 to Hampton (hereinafter Hampton).

Hampton was cited for teaching various limitations of dependent claims. Hampton discloses storing mapping requests from users and using information from the IP address to create a database for determining geographic locations. (See, e.g., Fig. 2). Thus, the location data is determined from the IP address, not from user-reported location data, as recited in claims 1, 17, and 25. Therefore, Hampton does not remedy the deficiencies of Goeller as

discussed above with respect to claims 1, 17, and 25.

Because claims 2-3, 11-12, 18-19, 22-23, 27-28, and 33-34 depend on claims 1, 17, and 25, these claims are patentable over Goeller in view of Hampton for reasons similar to claims 1, 17, and 25 discussed above.

Claim 7-8, 14, 16, 27, and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller in view of Hampton and further in view of U.S. Publication No. 2003/0023541 to Black et al. (hereinafter Black).

Black discloses verifying a billing and/or alternate address associated with a transaction card purchase. (See Abstract). Thus, Black simply teaches the user entering in a request location (such as billing address), which the system verifies against its records for the transaction card. There is no teaching of the address being associated with an IP address, but rather it is associated with a transaction card. Thus, Black does not remedy the deficiencies of Goeller and Hampton as discussed above with respect to claims 1, 17, and 25. Furthermore, as discussed above, Goeller essentially requires the database of location information (i.e., ICANN registrars) to be accurate for determining the number of routers in the trace-route that are within the geographical area of interest. Without accurate location information, this determination would likewise be inaccurate. Thus, there is no reason to combine Black with Goeller because having relying on user entered location information in Goeller would result in faulty and inaccurate determinations.

Therefore, for these reasons, claims 1, 17, and 25 are patentable over Goeller in view of Hampton and Black. Because claims 7-8, 14, 16, 27, and 36 depend on claims 1, 17, and 25, these claims are also patentable over Goeller in view of Hampton and Black.

Claim 15, 24, and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goeller and Hampton in view of Black and further in view of U.S. Patent No. 5,950,172 to Klingman (hereinafter Klingman).

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Klingman is cited for teaching using feedback information to determine data integrity. However, Klingman does not teach or suggest obtained user-reported data for location information and then using the user-reported data to predict location. Therefore, because Klingman does not remedy the deficiencies of Goeller, Hampton and Black as discussed above with respect to claims 1, 17, and 25, claims 1, 17, and 25 are patentable over Goeller, Hampton, Black, and Klingman.

Because claims 15, 24, and 35 depend on claims 1, 17, and 25, respectively, claims 15, 24, and 35 are patentable over the cited references for at least the same reasons as claims 1, 17, and 25.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103.

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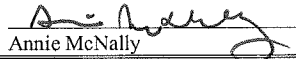
## CONCLUSION

For the foregoing reasons, Applicant believes pending claims 1-36 are allowable, and a notice of allowance is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 752-7040.

### **Certificate of Transmission**

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